

Notice of Allowability

Application No.

10/696,192

Applicant(s)

DAVIS ET AL.

Examiner

Art Unit

Alexander J Kosowski

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/26/04.
2. ☒ The allowed claim(s) is/are 1-64.
3. ☒ The drawings filed on 29 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached .
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

- 1) Claims 1-64 are presented for examination in light of the amendment filed 10/26/04.

Allowable Subject Matter

- 2) Claims 1-64 are allowed.

The following is an examiner's statement of reasons for allowance:

Referring to independent claims 1, 2, 3, 12, 18, 33, 47, 54, 61 and 63, the closest pieces of prior art are Davis et al (U.S. Pat 5,576,7000) and Ehlers et al (U.S. Pat 5,696,695).

Referring to claim 1, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a system which controls appliances wherein an energy management controller determines a change in demand detected by a meter before transmission of a demand reduction control signal and after a received RF signal corresponding to an amount of demand detected by the meter, in combination with the remaining features or elements of the claimed invention.

Referring to claim 2, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a system which controls appliances wherein a second transceiver generates a second RF signal corresponding to the amount of demand detected by a meter before an RF demand reduction control signal is received, and wherein the second transceiver generates a third RF signal corresponding to the amount of demand detected by the meter after the appliance coupled to the appliance controller unit is shut off, in combination with the remaining features or elements of the claimed invention.

Referring to claim 3, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a system which controls appliances wherein a second transceiver

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determines a change in demand corresponding to the amount of demand detected by a meter before the RF demand reduction control signal is received and the amount of demand detected by the meter after the appliance coupled to the appliance controller unit is shut off, such that the second RF signal corresponds to the determined change in demand, in combination with the remaining features or elements of the claimed invention.

Referring to claim 12, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a system which controls appliances wherein a first interface is coupled to an energy management controller and a communication network, and a second interface is coupled to a site controller and the communication network, the site controller configured to communicate at least the second RF signal such that the communications between the energy management controller and the site controller are communicated over the communication network, in combination with the remaining features or elements of the claimed invention.

Referring to claim 18, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a system which controls appliances wherein means for metering a first change in demand meters a first change in demand before the means for generating a demand reduction control signal generates a demand reduction control signal and after the energy management controller receives an RF signal from one of the plurality of second transceivers, in combination with the remaining features or elements of the claimed invention.

Referring to claim 33, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a system for controlling demand in an energy delivery system comprising meter transceiver units coupled to a meter configured to detect demand, and a site

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controller transceiver configured to receive the RF signals corresponding to the metered demand from the plurality of meter transceiver units, such that the energy management controller determines a difference between the metered demand before communication of the demand reduction control signal and after the received RF signals, in combination with the remaining features or elements of the claimed invention.

Referring to claim 47, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a site controller configured to receive the demand reduction control signal and configured to communicate a first radio frequency signal corresponding to the demand reduction signal, a second transceiver coupled to a meter, and wherein the site controller receives second and third RF signals and communicates them to an energy management controller, in combination with the remaining features or elements of the claimed invention.

Referring to claim 54, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches a site controller configured to receive the demand reduction control signal and configured to communicate a first radio frequency signal corresponding to the demand reduction signal, and a second transceiver coupled to a meter, the second transceiver configured to determine a first demand detected by the meter before the RF demand reduction control signal is received, configured to determine a second demand detected by the meter after the appliance coupled to the appliance controller unit is shut off, configured to determine a change in demand corresponding to a difference in the first demand and the second demand, and configured to communicate a second RF signal corresponding to the determined change in demand to the site controller, in combination with the remaining features or elements of the claimed invention.

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Referring to claim 61, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches metering a first metered demand at a plurality of meters, each one of the meters coupled to one of the appliances; transmitting a plurality of second RF signals each corresponding to one of the plurality of first metered demands to the energy management controller from a plurality of second transceivers, each one of the second transceivers coupled to one of the plurality of meters; shutting off the appliance coupled to the appliance control unit in response to receiving the first RF signal; metering a second metered demand at the plurality of meters; and transmitting a plurality of third RF signals each corresponding to one of the plurality of second metered demands to the energy management controller from the plurality of second transceivers, in combination with the remaining features or elements of the claimed invention.

Referring to claim 63, neither Davis nor Ehlers, alone or in combination with each other or the prior art of record teaches metering a first demand at a plurality of meters before the appliance is shut off, each one of the meters coupled to one of the appliances; metering a second demand at the plurality of meters after the appliance is shut off; determining a change in demand corresponding to a difference between the first metered demand and the second metered demand; and transmitting a plurality of second RF signals to the energy management controller from a plurality of second transceivers, the second RF signals each corresponding to the respective determined change in demand, and wherein each one of the second transceivers is coupled to one of the plurality of meters, in combination with the remaining features or elements of the claimed invention.

All other claims are dependent on allowed independent claims, and are therefore allowable.

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Conclusion

3) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander J Kosowski whose telephone number is 571-272-3744. The examiner can normally be reached on Monday through Friday, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. In addition, the examiner's RightFAX number is 703-746-8370.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Alexander J. Kosowski
Patent Examiner
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A handwritten signature in black ink, appearing to read 'L. Picard', with a stylized flourish at the end.

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100